

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 Ryan Williams,

4 Plaintiff

5 v.

6 La Vie Residences, et al.,

7 Defendants

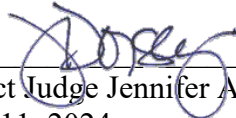
Case No.: 2:24-cv-01554-JAD-EJY

**Order Adopting  
Report & Recommendation and  
Dismissing § 1040 Claim with Prejudice**

[ECF No. 3]

8  
9 On August 26, 2024, the magistrate judge screened Plaintiff Ryan Williams's complaint,  
10 found that it failed to establish federal jurisdiction, and dismissed it without prejudice and with  
11 leave to amend by September 27, 2024.<sup>1</sup> In that same order, she recommended that Williams's  
12 claim for fraud under 18 U.S.C. § 1040 be dismissed with prejudice because that statute is a  
13 criminal one that cannot serve as a basis for a civil claim.<sup>2</sup> Any objection to that  
14 recommendation was due by September 9, 2024, but Williams neither objected nor moved to  
15 extend his time to do so. When no objections are filed, no review of a magistrate judge's report  
16 and recommendation is required.<sup>3</sup> Accordingly,

17 IT IS ORDERED THAT the Report and Recommendation [ECF No. 3] is **ADOPTED** in  
18 full, and **plaintiff's claim under 18 U.S.C. § 1040 is DISMISSED with prejudice. Plaintiff**  
19 **has until September 27, 2024, to file an amended complaint that complies with the**  
20 **magistrate judge's August 26, 2024, order,<sup>4</sup> but that amended complaint may not include a**  
21 **claim under 18 U.S.C. § 1040.**

22   
23 U.S. District Judge Jennifer A. Dorsey  
24 September 11, 2024

25 <sup>1</sup> ECF No. 3.

26 <sup>2</sup> *Id.* at 3.

27 <sup>3</sup> See *Thomas v. Arn*, 474 U.S. 140, 150 (1985).

28 <sup>4</sup> ECF No. 3.